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February 16, 2011

**Via Facsimile (713) 250-5384**

Honorable Nancy K. Johnson  
Magistrate Judge, United States District Court  
Southern District of Texas, Houston Division  
United States District Court  
515 Rusk Avenue, Room 7019 (7<sup>th</sup> Floor)  
Houston, Texas 77002

Re: *Gary Watson and Laura Garza v. Konica Minolta Business Solutions U.S.A., Inc.*;  
Civil Action No. 4:10-cv-00986; In the United States District Court for the  
Southern District of Texas, Houston Division

Dear Magistrate Judge Johnson:

As you know, this Firm is local counsel for Konica Minolta Business Solutions U.S.A., Inc. ("KMBS") in the above-referenced matter. Our client has asked if this Court can expedite the hearing on its Emergency Motion to Halt ECF Notifications to Represented Opt-in Plaintiffs (the "Emergency Motion"), which KMBS filed on February 11, 2011. As informed by your case manager, Shannon Butler, the earliest date for this Court to hear KMBS' Emergency Motion is February 23, 2011 due to Mr. Galvin Kennedy's unavailability until that date.

In all due consideration to Mr. Kennedy, our client considers this an emergency matter and would greatly appreciate if this Court would agree to hear its Emergency Motion sooner than next week on February 23. As other lawyer(s) are listed on the pleadings for Plaintiffs, we would request a hearing before February 23. Presumably, another attorney from Mr. Kennedy's office can attend the hearing via telephone, further accommodating their current schedules.

Mr. Loren Gesinsky, lead counsel for KMBS, has indicated that he generally can make himself available via telephone between now and February 23 for the hearing. As expressed above, our client would like Court consideration of the Emergency Motion as soon as reasonably possible.

We appreciate this Court's consideration of our request.

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Sincerely,

*Matthew T. Deffebach* by permission  
Matthew T. Deffebach *Meghan Mollay*

cc: Loren Gesinsky  
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